



Water Quality NewsFlash

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303(d) Listing Policy – Adoption likely in near future – The State Water Resources Control Board held a workshop September 8 on the proposed policy for listing and delisting impaired waterways. The policy is required by Senate Bill 469 (Alpert, 2002) and is intended to provide the State and Regional Boards with a standardized approach for waterway listings. A public advisory group (PAG) was established to assist the SWRCB but divided into two caucuses, “environmental” and “regulated,” and each presented its own concept of how the SWRCB should approach the listing process. Several previous drafts of the policy have been issued.

During the workshop, wastewater dischargers were generally supportive of the policy because it brings consistency to the process. The environmental community had concerns regarding the statistical methods used to evaluate data, the delisting process, and the link with water quality standards. The policy will likely be adopted at the September 30 Board meeting and will be used in the preparation for the 2004 update to the 303(d) list. Listed waters/pollutants require TMDLs which increasingly are the major regulatory determinant in water quality control programs. The revised policy is posted at: http://www.swrcb.ca.gov/tmdl/303d_listing.html

SF Bay Mercury TMDL - Board approval – After four hours of testimony, the Total Maximum Daily Load was adopted on September 15 by the Regional Board as an amendment to the Basin Plan. The TMDL is designed to reduce the current mercury loading of 1,220 kg/yr and projects compliance with water quality standards after 120 years. 74% of the mercury in San Francisco Bay comes from re-suspension of Bay sediments and from sediments carried in from the Central Valley. Many environmental groups were represented at the hearing. Their concerns included: (1) the lack of decreases in allocations assigned to sewage treatment plants and industry, (2) inadequate protection, notification, and compensation for subsistence fisher people, (3) the omission of decreases assigned to air sources, (4) inadequate decreases in the loading from the Central Valley, and (5) the lack of specific cleanup activities. The stormwater community was officially “neutral” but concerned with the weak scientific basis of the amendment and the nearly 50% reduction in mercury loading assigned to stormwater. Citing Regional Board estimates, they stated that this represents an “unfunded mandate” and would cost \$100M or significantly more per year. The Board staff agreed that compliance could eventually be costly but that projected infrastructure changes would have other associated environmental benefits. Representatives from industrial and domestic wastewater (sewage) dischargers and the dredging community had concerns but were generally supportive.

The representative from U.S. EPA listed three issues that would prevent EPA from approving the TMDL: (1) the TMDL does not provide for attainment of the Basin Plan water quality standard of 0.025 ug/l (mercury 4-day average), (2) the TMDL statistical approach for calculating loadings effectively allows sewage treatment plants to increase their cumulative loadings from 11 kg/yr to 17 kg/yr and (3) some of the suggested control options are unlikely to be implemented or to achieve the projected reductions. State Board and EPA approval are necessary before the TMDL goes into effect. TMDL and related documents: <http://www.swrcb.ca.gov/rwqcb2/sfbaymercurytmdl.htm>

WQ NewsFlash is a weekly update of storm water and related news for the Department. *Verify information before taking action on these bulletins.* Contact Betty Sanchez, Betty_Sanchez@dot.ca.gov (916) 653-2115, or Fred Krieger, (510) 843-7889, fkrieger@msn.com with questions or to be added or deleted from e-mail list. Posted online at: <http://www.dot.ca.gov/hq/env/stormwater/publicat/newsflash/index.htm>